

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**WILLIAM HOWARD,**

**Plaintiff,**

**v.**

**WARREN RAYMOND BYRD, et al.,**

**Defendants.**

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**NO. 3:21-cv-00119**

**JUDGE CAMPBELL**

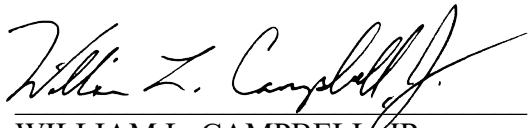
**MAGISTRATE JUDGE FRENSELY**

**ORDER**

Pending before the Court is the Magistrate Judge Frensley's Report and Recommendation, which was filed on July 7, 2023. (Doc. No. 51). Through the Report and Recommendation, the Magistrate Judge recommends that this action be dismissed without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute and that the pending motion for summary judgment (Doc. No. 44) be denied as moot. Although the Report and Recommendation advised the parties that any objections must be filed within 14 days of service, no objections have been filed.

The Court has reviewed the Report and Recommendation and concludes it should be adopted and approved. Accordingly, this action is **DISMISSED** without prejudice and the motion for summary judgment (Doc. No. 44) is **DENIED** as moot. The Clerk is directed to close the file.

It is so **ORDERED**.

  
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WILLIAM L. CAMPBELL, JR.  
UNITED STATES DISTRICT JUDGE